

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON RULES

Call to Order: CHAIRMAN JIM PETERSON, on January 8, 2009 at 1:30 P.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Jim Peterson, Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. John Brenden (R)
Sen. Roy Brown (R)
Sen. Mike Cooney (D)
Sen. John Esp (R)
Sen. Jeff Essmann (R)
Sen. Steven Gallus (D)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Bob Hawks (D)
Sen. Jesse Laslovich (D)
Sen. Dan McGee (R)
Sen. Bob Story Jr. (R)
Sen. David E. Wanzonried (D)
Sen. Carol Williams (D)

Members Excused: None.

Members Absent: None.

Staff Present: Greg Petesch, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SR 1, SJR 1, 1/5/2009

Executive Action: SR 1-Do Pass As Amended, SJR 1-Do
Pass As Amended

00:00:12 Sen. Peterson
00:02:06 Sen. McGee

HEARING ON SR 1

Opening Statement by Sponsor:

00:02:31 **SEN. JIM PETERSON (R)**, SD 15, opened the hearing on **SR 1**, Senate rules.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:09:02 Sen. Gallus
00:09:32 Sen. Gebhardt

Closing by Sponsor:

00:10:29 Sen. Peterson
00:10:48 Greg Petesch, Legislative Services Division
00:12:16 Sen. William
00:12:42 Sen. McGee
00:12:58 Sen. Peterson

EXECUTIVE ACTION ON SR 1

00:13:50 **Motion:** SEN. McGEE moved that **SR 1 DO PASS**.

Discussion:

00:14:10 **Motion:** SEN. PETERSON moved that **SR 1 BE AMENDED**.
[**EXHIBIT\(rus04a01\)**](#)

00:15:16 **Vote:** Motion that **SR 1 BE AMENDED** carried unanimously by voice vote.

00:15:30 **Motion/Vote:** SEN. PETERSON moved that **SR 1 BE AMENDED.**
EXHIBIT (rus04a02)

Discussion:

00:16:34 Greg Petesch

00:16:44 **Vote:** Motion that **SR 1 BE AMENDED** carried unanimously
by voice vote.

00:17:04 Sen. William

00:17:14 Mr. Petesch

00:18:30 Sen. Peterson

00:18:45 Sen. Laslovich

00:19:25 Mr. Petesch

00:20:55 Sen. Laslovich

00:22:30 Sen. Barkus

00:22:56 Sen. Laslovich

00:23:07 Sen. Peterson

00:24:03 Mr. Petesch

00:24:16 **Motion:** SEN. LASLOVICH moved that **SR 1 BE AMENDED ON**
PAGE 8, LINE 6 FOLLOWING THE WORD COMMITTEES INSERT "prior to
making committee assignments, the committee on committees shall
take into consideration the recommendations of the minority
leader for minority committee assignments."

Discussion:

00:24:43 Sen. McGee

00:24:56 Mr. Petesch

00:25:23 **Vote:** Motion that **SR 1 BE AMENDED** carried unanimously
by voice vote.

00:25:41 Sen. Esp

00:26:13 Sen. Wanzenried

00:27:09 Sen. Story

00:29:33 Sen. Wanzenried

00:30:12 Sen. Story

00:32:23 Sen. Gallus

00:33:28 Sen. Story

00:35:06 Sen. Gallus

00:35:45 Sen. Story

00:36:03 Mr. Petesch

00:36:14 Sen. Gallus

00:36:39 Mr. Petesch

00:37:16 Sen. Wanzenried

00:38:15 Sen. Peterson

00:39:11 Sen. Gebhardt
00:39:53 Sen. McGee
00:41:35 Sen. Williams
00:42:32 Sen. Story
00:45:15 Sen. Brenden
00:46:10 Sen. Cooney
00:48:07 Sen. Brown
00:48:47 Sen. Laslovich
00:49:55 Sen. Story
00:53:10 Sen. Laslovich
00:53:40 Sen. Story

00:54:32 **Motion/Vote:** SEN. McGEE moved that **SR 1 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

(Senate Rules Committee recessed briefly for the relocation of the Senate Rules Committee to the Joint House Rules Committee meeting.)

Roll Call of House Rules Committee
EXHIBIT (rus04a03)

00:01:38 Sen. Peterson

00:01:55 Rep. Villa

HEARING ON SJR 1

(Rep. Bergren absent from room)

Opening Statement by Sponsor:

00:02:09 **SEN. JIM PETERSON (R), SD 15**, opened the hearing on **SJR 1**, Senate and House rules.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

00:02:58 Sen. Peterson

EXECUTIVE ACTION ON SJR 1

00:03:20 **Motion:** SEN. McGEE moved that **SJR 1 DO PASS.**

Discussion:

00:03:26 Rep. Mendenhall

00:04:00 Sen. Peterson

00:04:08 Mr. Petesch

00:04:30 Rep. Mendenhall

00:04:39 Sen. Peterson

00:04:46 Mr. Petesch

00:04:55 Rep. Mendenhall

00:05:21 Sen. Peterson

00:05:30 **House Vote:** Motion that **SJR 1 DO PASS** failed 7-7 by roll call vote with REP. MENDENHALL, REP. BERGREN, REP. FRENCH, REP. AUGARE, REP. PHILLIPS, REP. KOTTEL, and REP. VILLA voting aye. REP. BERGREN voted by proxy. (Rep. Bergren voted by proxy.)

(This was a House of Representatives vote only per Chairman Peterson. The Senate had already adopted their rules.)

00:07:22 **Motion:** SEN. STORY moved to **RECESS the JOINT RULES COMMITTEE.**

00:08:02 Sen. Peterson

00:08:09 Mr. Petesch

00:08:59 Sen. McGee

00:09:07 SEN. STORY **WITHDREW MOTION FOR RECESS of the JOINT RULES COMMITTEE.**

00:09:24 Sen. Cooney

00:09:50 Mr. Petesch

00:10:16 Rep. Villa

00:10:53 **Motion:** SEN. GALLUS moved that **SJR 1 DO PASS by SENATE ONLY, STOP DEBATE and MOVE SJR 1 TO SECOND READING.**

Discussion:

00:11:10 Sen. McGee
00:11:23 Mr. Petesch
00:11:40 Sen. McGee
00:12:02 Sen. Story

00:12:20 **Senate Vote:** Motion that **SJR 1 DO PASS BY SENATE, STOP DEBATE and MOVE TO SECOND READING** carried 12-4 by roll call vote with SEN. GEBHARDT, SEN. LASLOVICH, SEN. McGEE, and SEN. PETERSON voting no.

(This is a Senate vote only, the House of Representatives failed to pass their rules.)

00:14:18 SEN. McGEE **WITHDREW MOTION** that **SJR 1 DO PASS.**

00:14:32 **Motion:** SEN. GALLUS moved that **SJR 1 DO PASS.**

Discussion:

00:14:46 **Motion:** SEN. McGEE moved that **SJR 1 DO NOT PASS.**

Discussion:

00:15:05 Sen. Story
00:15:46 Sen. Gebhardt
00:16:21 Sen. Peterson
00:16:40 Sen. Gebhardt
00:17:19 Sen. Story
00:17:57 Mr. Petesch
00:18:26 Rep. Villa

00:19:25 SEN. McGEE **WITHDREW MOTION** that **SJR 1 DO NOT PASS.**

00:19:32 **Motion:** SEN. McGEE moved that **SJR 1 DO PASS.**

00:19:40 **Motion:** SEN. McGEE moved that **SJR 1 BE AMENDED TO STRIKE ALL NEW LANGUAGE IN 10-80 and RE-ESTABLISH the ORIGINAL LANGUAGE.**

Discussion:

00:19:54 Sen. Peterson
00:20:04 Sen. Esp
00:20:27 Sen. McGee

00:20:45 Sen. Peterson

00:21:01 Sen. Esp

00:21:15 Mr. Petesch

00:21:26 **Senate Vote:** Motion that **SJR 1 BE AMENDED** carried by voice vote 12-4 with SEN. GEBHARDT, SEN. COONEY, SEN. LASLOVICH, and SEN. ESP voting no.

00:22:18 **House Vote:** Motion that **SJR 1 BE AMENDED** carried 13-1 by voice vote with REP. MENDENHALL voting no.

00:22:48 **Motion/House Vote:** SEN. McGEE moved that **SJR 1 DO PASS AS AMENDED**. Motion carried unanimously by voice vote by House Representatives.

00:23:17 **Senate Vote:** Motion that **SJR 1 DO PASS AS AMENDED** carried 13-3 by voice vote with SEN. COONEY, SEN. LASLOVICH and SEN. WANZENRIED voting no.

ADJOURNMENT

Adjournment: 3:00 P.M.

Pamela E. Schindler, Secretary

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Additional Documents:

EXHIBIT ([rus04aad.pdf](#))